



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Mag. Case No. '08 MJ 84 16
)	
Plaintiff,)	<u>COMPLAINT FOR VIOLATION OF</u>
)	
v.)	Title 8, U.S.C., Section 1326
)	Deported Alien Found In the
Jesus VALDEZ-Barrelleza,)	United States
)	
Defendant.)	

The undersigned complainant being duly sworn states:

On or about May 12, 2008, within the Southern District of California, defendant Jesus VALDEZ-Barrelleza, an alien, who previously had been excluded, deported and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13th DAY OF MAY 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Jesus VALDEZ-Barrelleza

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5 **STATEMENT OF FACTS**

6 The complainant states that this complaint is based upon the statements of Border Patrol
7 Agent R. Alfaro, that the Defendant, Jesus VALDEZ-Barrelleza, was found and arrested on May
8 12, 2008, east of Calexico, California.

9 The Remote Video Surveillance System Operator observed a group of nine individuals
10 cross the International Boundary with Mexico and conceal themselves in the brush north of the
11 border. On May 12, 2002, at approximately 9:50 A.M., searching the area, Agent M. Tecpanecatl
12 encountered a group of suspected illegal entrants approximately one mile north of the
13 International Boundary with Mexico hiding in the brush.

14 Agent M. Tecpanecatl identified herself as a Border Patrol Agent and questioned the
15 individuals, including one later identified as Jesus VALDEZ-Barrelleza. It was determined
16 VALDEZ and the others are citizens of Mexico illegally in the United States. VALDEZ and the
17 others were arrested and transported to the Calexico Border Patrol Station.

18 Record checks of VALDEZ revealed he was previously removed on March 12, 2008.
19 Further record checks revealed VALDEZ has a serious criminal record.

20 There is no evidence VALDEZ ever sought nor received permission from the Attorney
21 General of the United States or his designated successor, the Secretary of the Department of
22 Homeland Security, to re-enter the United State
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